

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11761 of 2023

Arising Out of PS. Case No.-4 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

MD. TARIK S/O MD. HUSHANI Resident of Village- Hasanpur, Bajar, Ward
No.- 4, P.S.- Nawkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 376, 420,
406, 323, 504, 506, 313, 314/34 of the Indian Penal Code.

As per prosecution case, allegation against the
petitioner that he along with other co-accused persons came at
the house of complainant and this petitioner made physical
relation. When the victim became pregnant, the petitioner
refused to marry her thereafter, this case has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. For the alleged occurrence



of From perusal of FIR as well as case diary, it appears that the victim, aged about 34 years, is a major & divorced lady who developed consensual relation with the petitioner on the behest of solemnization of marriage. It is further submitted that after completion of investigation, charge-sheet has not been submitted u/s 376 of I.P.C. The petitioner has got no criminal antecedent and languishing in judicial custody since 2.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawkothi P.S. Case No. 04 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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